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FISCAL IMPACT STATEMENT

LS 7469

BILL NUMBER: HB 1391

NOTE PREPARED: Jan 11, 2007

BILL AMENDED:

SUBJECT: Surgical technologists.

FIRST AUTHOR: Rep. Reske

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill establishes the Surgical Technologist Committee to certify surgical technologists. It establishes continuing education requirements for certified surgical technology. The bill also establishes a Class B misdemeanor penalty for certain violations.

Effective Date: July 1, 2007.

Explanation of State Expenditures: This bill creates the five-member Surgical Technologist Committee which would propose rules and standards concerning the competent practice of certified surgical technologists to the Medical Licensing Board. After consideration of the Committees's recommendations, the Medical Licensing Board is responsible for adopting the rules to establish the standards for the administration of the certification of surgical technologists and standards for the competent practice of surgical technologists.

The Professional Licensing Agency (PLA) would provide staff support for the Surgical Technologist Committee. The PLA reports they have 11 workgroups that are currently at working capacity staffing 37 professional boards and commissions. The PLA reports their vacancies are either assigned to the existing boards when filled or are currently unfunded.

It is estimated that \$101,600 in expenditures would be required in FY 2008 to establish the Committee. The estimates include salaries and benefits for two PLA staff members, telephone expense, office supplies, printing costs, and per diem and travel expense for five Committee members. Members of the Committee, that are not state employees, would be able to receive per diem for their service. All members would receive reimbursement for travel expense. The bill does not make an appropriation to cover the expenditures for the

Committee. The Committee would be able to recommend fees to the Medical Licensing Board.

Background- As of December 2006, the PLA had 93 full-time employees. The January 1, 2007, vacancy report indicates the PLA has 16 vacancies worth \$342,000. The PLA reverted \$63,329 to the state General Fund at the close of FY 2006.

Explanation of State Revenues: This bill establishes a certification program for surgical technologists and requires the Medical Licensing Board to establish fees in rules for applications for certification and renewal of certificates after considering the recommendation of the Surgical Technologists Committee. According to current statute, fees set by an occupational or professional licensing or certification board cannot be less than the amount required to pay all of its costs, direct and indirect.

The bill does not require surgical technologists to be certified in order to practice in Indiana. Only applicants for certification and renewal certifications are required to meet the standards and pay the certification fee. A certificate may also be issued by endorsement when certain requirements are met. There are over 1,035 surgical technologists in Indiana. It is not known how many surgical technologists would choose to become certified. All revenue collected from fees from the certification of surgical technologists would be collected and accounted for by the PLA and deposited in the state General Fund.

Penalty Provision - Violations of the certification provisions would constitute a Class B misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class B misdemeanor is \$1,000. However, any additional revenue would likely be small.

Explanation of Local Expenditures: *Penalty Provision:* A Class B misdemeanor is punishable by up to 180 days in jail.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: Professional Licensing Agency.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Health Finance Commission, August 10, 2006 Meeting Minutes; Professional Licensing Agency.

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